

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, JULY 2, 1969

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, July 2, 1969 in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - BROWN, CULBERTSON, SCHAFFER
and KIRSTEN (Mayor)

Absent: Councilmen - HUNNELL

Also present: City Manager Graves, Assistant City Manager Peterson and City Attorney Mullen.

PLEDGE Mayor Kirsten led the Pledge of Allegiance to the flag.

MINUTES On motion of Councilman Culbertson, Schaffer second, the Minutes of June 18, 1969 were approved as written and mailed.

PLANNING COMMISSION

RE ZONE

At its meeting of June 23, 1969 the City Planning Commission recommended rezoning from the M, Industrial District to the M-2, Heavy Industrial District the area bounded on the north by Lodi Avenue; on the east by Stockton Street; on the south by Kettleman Lane; and on the west by the rear property line of parcels facing the west side of South Sacramento Street; and the Melhaff Addition to Lodi located south of Kettleman Lane on the west side of Stockton Street. On motion of Councilman Brown, Schaffer second, the matter was set for public hearing on July 16, 1969.

OTHER ACTIONS The City Planning Commission also took the following actions of interest to the City Council:

1. Modified the proposed landscaping plans for a 30-unit apartment house proposed by Mr. John Capell on the east side of Lower Sacramento Road north of Tejon Drive in an area zoned P-D(1).
2. Recommended to the San Joaquin County Planning Commission the approval of the request of Mr. Gideon Goehring for a use permit for the installation of a mobile-home on the north side of Clarksdale Road east of the U. S. 50-99 Frontage Road in an area zoned I-PA.
3. Modified the request of Mr. Oskar Hess for a variance to reduce the required front yard to 16 feet at 739 South Central Avenue in an area zoned R-MD, Medium Density Multiple-Family Residential and approved the following variances:
 - a. Permitted a front yard setback of 22 feet where the neighboring dwellings were set back an average of 25 feet, and
 - b. Permitted the reduction in the required off-street parking stalls from 18 to 17.

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4. Named a proposed major street located one-half way between Kettleman Lane and Harney Lane and running from Lower Sacramento Road to Cherokee Lane "Century Boulevard" to commemorate Lodi Centennial Year.

COMMUNICATIONS

ABC LICENSE

The following notices of application for alcoholic beverage license were read:

1. Person-to-person transfer, temporary license, Frances L. A. Lang and Merlin E. Wisby, 27 Club, 27 North Sacramento Street, on sale beer and wine public premises.
2. Person-to-person, premise-to-premise, Longs Drug Stores, Inc., 100 West Lodi Avenue, general off-sale.
3. Person-to-person, temporary license, Leonard J. and Sigrid Lee (The Southland Corporation) 7/Eleven, 401 North California Street, off sale beer and wine

CLAIM FOR INJURIES

A "Claim for Personal Injuries" was received from Jerry Sperling on behalf of Theodore Sperling, a minor, in the amount of \$10,000. Claimant claims he sustained injuries at George Washington School playgrounds. On motion of Councilman Brown, Schaffer second, the Council denied the claim of Jerry Sperling on behalf of Theodore Sperling, a minor, and referred it to the City's Agent of Record, Max Elson.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$238,671.86 were approved on motion of Councilman Culbertson, Schaffer second.

SIDEWALK IMPROVEMENT POLICY

RES. NO. 3278

At its meeting of June 18 the City Council requested the staff to redraft the proposed resolution concerning sidewalk installation to include certain changes and continued the matter to this meeting. The City Manager presented the resolution which had been redrafted as requested. He suggested the word "present" should be removed from both the first and second paragraphs. The Council agreed. On motion of Councilman Schaffer, Culbertson second, the Council then adopted the following resolution:

RESOLUTION NO. 3278

A RESOLUTION EXPRESSING THE CITY OF LODI'S INTENT TO ACCOMPLISH SIDEWALK INSTALLATION IN ALL THOSE AREAS OF THE CITY WHERE SIDEWALKS ARE NOT NOW INSTALLED.

WHEREAS, the City Council of the City of Lodi is desirous of having sidewalks installed in all those areas of the City where sidewalks do not now exist; and

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WHEREAS, it is the hope of the City Council of the City of Lodi to realize this program within a period of ten years; and

WHEREAS, the first five years of the program shall be on a voluntary basis and thereafter the provisions of Streets and Highways Code Section 5870 et seq. shall be applicable; and

WHEREAS, the establishment of this time period will provide property owners a comfortable period to:

1. voluntarily install sidewalks where none now exist;
2. relocate and rebuild landscaping which may have to be moved;
3. accomplish said improvements without the pressure of time; and

WHEREAS, the City of Lodi, in its desire to achieve this end, will:

1. install sidewalks on all City-owned property within a period of five years;
2. for those citizens who wish to voluntarily install sidewalks and can demonstrate a financial hardship, provide the necessary financing in accordance with Streets and Highways Code Section 5895 with the interest rate to be 2% per annum for those persons who install sidewalks within the first three years after adoption of this resolution and the annual installments of principal and interest not to exceed ten (10).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi does hereby express its intent to implement a sidewalk installation program in the City of Lodi in accordance with the preambles set forth hereinabove and respectfully request the cooperation and assistance of all concerned.

BE IT FURTHER RESOLVED that by this resolution the City Council of the City of Lodi is in no way abdicating the power given to it under Streets and Highways Code, Section 5870 et seq. to require the installation of sidewalks, curbs and/or gutters in those situations and places where, in the opinion of the City Council, the public health, safety and/or convenience require the installation of said improvement.

PASSED AND ADOPTED this 2nd day of July, 1969 by the following vote:

AYES Councilmen - Culbertson, Schaffer and Kirsten

NOES: Councilmen - Brown

ABSENT: Councilmen - Hunnell

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EASEMENT AGREEMENT - S. P. CO. RES. NO. 3279	The City Manager presented an easement agreement with the Southern Pacific Company to cover the installation of a 12-inch water line under the Company's railroad tracks on Turner Road. On motion of Councilman Schaffer, Brown second, the Council adopted Resolution No. 3279 authorizing the Mayor to execute the agreement on behalf of the City.
HUD AGREEMENT VINEWOOD PARK RES. NO. 3280	On motion of Councilman Schaffer, Culbertson second, the City Council adopted Resolution No. 3280 authorizing the Mayor to execute an agreement with the Department of Housing and Urban Development for an open-space land grant for Vinewood Park.
HUD AGREEMENT TWIN OAKS PARK RES. NO. 3281	On motion of Councilman Schaffer, Brown second, the Council adopted Resolution No. 3281 authorizing the Mayor to execute an agreement with the Department of Housing and Urban Development for an open-space land grant for Twin Oaks Park.
AGREEMENT - ANNUAL AUDIT	City Manager Graves presented an agreement between H. P. McCandless and the City of Lodi for each of the fiscal years ending June 30, 1969, June 30, 1970 and June 30, 1971. On motion of Councilman Schaffer, Culbertson second, the Council authorized the Mayor to execute said agreement.
AGREEMENT BETWEEN LIBRARY AND STATE RES. NO. 3282	The City Manager presented an agreement between the Lodi Public Library and the State Department of Education, Division of Libraries, for the latter to provide book processing services to the City Library. On motion of Councilman Brown, Schaffer second, the City Council adopted Resolution No. 3282 authorizing the Mayor to execute said agreement.
CITY CAB REQUEST TAXI STAND	The City Manager reported that the Public Works Director had recommended approval of the request of the City Cab Company for a taxi stand with phone to be located on the west side of South School Street between Pine and Walnut Streets provided that the service line to the telephone be underground at the expense of the applicant. The City Manager recommended the matter be set for public hearing. On motion of Councilman Brown, Schaffer second, the Council set the request for public hearing on July 16, 1969.
ROBBY'S SWIMMING POOL	City Manager Graves stated that members of the Council had visited Robby's swimming pool in an effort to determine if the City should accept the offer to purchase the pool. It was the consensus of the Council that the City should not purchase the pool. On motion of Councilman Schaffer, Brown second, the City Council by unanimous vote rejected the offer to purchase Robby's swimming pool.

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COMPLAINT -
FAMILY SWIM
TICKETS

Mr. Calvin Kusler, 822 South Rose Street, addressed the Council and questioned why City employees receive free family swim tickets. After discussion, the Council requested the City Manager to determine why and how the policy was established and report back to the Council.

TWIN OAKS PK
DRAINAGE
SYSTEM
COMPLETE

On motion of Councilman Brown, Culbertson second, the Council accepted the Twin Oaks Park Drainage System as complete and authorized the Public Works Director to file the Notice of Completion on the project.

B-2 STORM
DRAIN OUTFALL
COMPLETE

On motion of Councilman Culbertson, Schaffer second, the Council accepted the Basin B-2 Storm Drain Outfall Line as complete and authorized the Public Works Director to file the Notice of Completion on the project.

McLANE SUB-
STATION SITE
PREPARATION
COMPLETE

On motion of Councilman Schaffer, Brown second, the Council accepted the McLane Substation Site preparation as complete and authorized the Public Works Director to file the Notice of Completion on the project.

ORDINANCES

ANNEX J. C.
BECKMAN ADDN

ORD. NO. 901
ADOPTED

ORDINANCE NO. 901, entitled, "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY, DESIGNATED 'J. C. BECKMAN ADDITION,' TO THE CITY OF LODI," having been introduced at the meeting of June 18, 1969, was brought up for passage on motion of Councilman Brown, Culbertson second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Brown, Culbertson, Schaffer and
Kirsten

Noes: Councilmen - None

Absent: Councilmen - Hunnell

REZONE NW
COR N CHURCH
& W LOCUST

ORD. NO. 902
ADOPTED

ORDINANCE NO. 902, entitled, "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING THREE PARCELS AT THE NORTHWEST CORNER OF NORTH CHURCH STREET AND WEST LOCUST STREET TO BE IN THE C-2, GENERAL COMMERCIAL DISTRICT," having been introduced at the meeting of June 18, 1969, was brought up for passage on motion of Councilman Schaffer, Culbertson second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Brown, Culbertson, Schaffer and
Kirsten

Noes: Councilmen - None

Absent: Councilmen - Hunnell

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ADDENDUM

EXECUTIVE SESSION	At approximately 8:40 p.m. the City Council adjourned to executive session for approximately five minutes.
APPOINTMENTS PLANNING COMMISSION	<p>After reconvening, Mayor Kirsten announced he had made the following appointments to the Planning Commission and asked the Council's concurrence.</p> <p style="padding-left: 40px;">W. A. Colburn (4-year terms expiring Richard March June 30, 1973) Ted Katzakian (to fill unexpired term vacated by Robert Elliott)</p> <p>On motion of Councilman Brown, Schaffer second, the Council concurred in these appointments.</p>
LIBRARY BOARD	Mayor Kirsten then recommended appointment of C. M. "Bud" Sullivan to the Library Board for a three-year term expiring June 30, 1972. On motion of Councilman Culbertson, Brown second, the Council concurred in the Library Board appointment as recommended.
PERS. BOARD OF REVIEW	Mayor Kirsten announced reappointment of A. E. Sperring and Arthur D. Tussey to the Personnel Board of Review for 4-year terms expiring June 30, 1973. The Council concurred in these appointments on motion of Councilman Culbertson, Schaffer second.
CAC	The Mayor then reported that Reverend William J. Killian had resigned as the City's representative on the Board of Directors of the Community Action Council and he recommended Orwin Dow be appointed as the City's representative. On motion of Councilman Brown, Schaffer second, the Council approved the appointment of Orwin Dow as the City's representative to the Board of Directors of the Community Action Council.
HOUSING	Councilman Culbertson reported that the League of California Cities was sponsoring meetings concerning new concepts in housing on July 7, 1969 and requested the City be represented at one of the meetings. It was decided that Planning Director Schroeder and Councilman Schaffer would attend.
AFS	Councilman Schaffer stated that he had received a letter from the American Field Service Exchange Students thanking Councilman Schaffer and the citizens of Lodi for the hospitality they received during their stay in the City in June.
AUBURN- FOLSOM SOUTH CANAL	Councilman Schaffer also reported that the Auburn-Folsom South Canal Area Committee would be meeting in Lodi on July 24, 1969.

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ADJOURNMENT

At approximately 9:00 p.m. the Mayor adjourned the meeting to 8:00 p.m., Wednesday, July 9, 1969.


Attest: BESSIE L. BENNETT
City Clerk